

Department of Justice
Washington, D.C. 20530

72-6471

DEC 13 1972

Honorable Richard Helms
Director
Central Intelligence Agency
Washington, D. C. 20505

Dear Mr. Helms:

In compliance with Pretrial Order No. 2, issued by Chief Judge David N. Edelstein, Southern District of New York, on March 21, 1972, in United States v. International Business Machines Corporation, 69 Civ. 200, your agency has been producing documents for inspection and copying by the defendant International Business Machines Corporation in accordance with our letter dated March 10, 1972, with attached Schedules 1 through 3.

As you may know, representatives of this Division have been negotiating with counsel for defendant IBM for many months, and, most recently, by further express direction of the Court on October 30, 1972. These negotiations have had as their purpose the defining of reasonable limitations on IBM's discovery request now on file in the Court, consistent with IBM's right to discovery of documents needed in its defense and with the resolution of the burdens that will be placed upon the specified Government agencies by implementation of such request.

The enclosed copy of the Order Supplementing Pretrial Order No. 2, with attached Schedule A and Form A, represents the end product of these negotiations. This Order was entered by the Court on November 21, 1972. It is applicable to future document production by your agency, if any, for inspection and copying by IBM.

DOJ review(s)
completed.

It should be noted that Schedule A attached to the enclosed copy of the Order Supplementing Pretrial Order No. 2 is identical to Schedule 2 attached to Pretrial Order No. 2, entered on March 21, 1972, under which your agency has been producing documents. In addition, it should be noted that paragraph 7 of the Supplementing Order, calling for the listing of any documents withheld on grounds of privilege, requires compliance with that paragraph, in part, within sixty (60) days from November 21, 1972.

It is requested that you convey to the offices within your agency, where documents search has been or is to be made, the urgency of immediate and complete compliance with this Order of the Court. Your continued courtesy and cooperation is greatly appreciated.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Bruce B. Wilson", is written over the typed name.

BRUCE B. WILSON

Acting Assistant Attorney General
Antitrust Division